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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,698	09/25/2003	Wataru Tsutsumi	Q77638	4445

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EXAMINER

LANGDON, EVAN H

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/669,698

Applicant(s)

TSUTSUMI ET AL.

Examiner

Evan H Langdon

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 25 September 2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: "ad" on page 12, line

17. Suggested correction: and.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Noda (US 4,427,162).

Noda discloses fishing reel comprising:

a reel body 1;

a handle 81 rotatably supported by the reel body;

a rotor 7 rotatably supported by the reel body;

a power transmitting mechanism including a driving force transmitting part 5 for transmitting driving force generated by rotating the handle to drive the rotor; and

a first rotation power transmitting instrument 22 including an elastic member 23a for frictionally transmitting the driving force provided at the drive force transmitting part.

In regards to claim 2, Noda discloses driving force transmitting part 5 includes the first rotation power transmitting instrument 22 and a second rotation power transmitting instrument 6 including gears for transmitting the driving force.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takikura (US 6,394,380 B2) in view of Bowers (US 3,808,906).

Takikura discloses a fishing reel comprising:

a reel body 2;

a handle 1 rotatably supported by the reel body;

a rotor 3 rotatably supported by the reel body;

a power transmitting mechanism, as seen in Figure 4, including a driving force transmitting part 10 for transmitting driving force generated by rotating the handle to drive the rotor; and

a first 20 and second 11 rotation power transmitting instrument for transmitting the driving force provided at the drive force transmitting part.

Takiura fails to show an elastic member for frictionally transmitting the driving force.

Bowers teaches meshing gears 10 and 12 provided with elastic inserts 30 secured to the gear shafts to contact and frictionally drive the opposite gears.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gears of Takikura to include an elastic insert as suggested by Bowers, to dampen the vibration of the gears.

In regards to claims 3 and 4, Takikura as modified by Bowers teaches;

a handle for generating the driving force;

a rotor 3 which is rotated by the driving force (Takikura);

a first shaft (10 Takikura corresponding to shaft 14 Bowers);

a first gear (12 Takikura corresponding to gear 10 Bowers);

a friction transmitting rotating part 18 coaxial with the first gear 10 (Bowers) and provided at the first shaft 14 (Bowers);

a second shaft (25a Takikura corresponding to shaft 16 Bowers);

a second gear (25 Takikura corresponding to gear 12 Bowers) in mesh with first gear;

an elastic member 30 (Bowers) coaxial with the second gear 12 and provided at the second shaft 16, wherein the elastic member 30 elastically contacts with the friction transmission rotating part 18, and driving force is transmitted between the first and second shafts via the first and second gear and via the friction transmission rotation part and the elastic member.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ehl


KATHY MATECKI
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